

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FIDELITY INFORMATION SERVICES,  
INC.,

Plaintiff,

v.

ECF Case

Case No. 09-cv-07589 (LAK) (KNF)

DEBTDOMAIN GLMS PTE LTD.,  
DEBTDOMAIN (USA) INC., DAVID LEVY  
and SETH ROTHMAN,

Defendants.

**DECLARATION OF MARK H. MOORE IN RESPONSE TO  
DEFENDANTS' OBJECTION TO MAY 15, 2012 REPORT AND  
RECOMMENDATION OF MAGISTRATE JUDGE KEVIN NATHANIEL FOX**

MARK H. MOORE hereby declares:

1. I am a Partner at the law firm of Reavis Parent Lehrer LLP, attorneys for Fidelity Information Services, Inc. ("FIS"). I submit this declaration in response to Defendant's Objection to Magistrate Judge's May 15, 2012 Report and Recommendation to Deny Defendants' Renewed Summary Judgment Motion as to Plaintiff's Copyright Infringement claim.

2. A true and correct copy the August 11, 2011 Report and Recommendation of Magistrate Judge Kevin Nathaniel Fox ("First SJ Report"; Dkt. 141) is attached hereto as Exhibit 1.

3. A true and correct copy of a September 28, 2011 Order of Honorable Lewis A. Kaplan ("SJ Order"; Dkt. 159) is attached hereto as Exhibit 2.

4. A true and correct copy of the May 15, 2012 Report and Recommendation of Magistrate Judge Kevin Nathaniel Fox ("Second SJ Report"; Dkt. 235) is attached hereto as Exhibit 3.

5. A true and correct copy of the November 1, 2010 Memorandum of Law of Plaintiff Fidelity Information Services, Inc. In Opposition to Defendants' Motion for Summary Judgment (Dkt 181; originally filed under seal as Dkt. 137) is attached hereto as Exhibit 4.

6. A true and correct copy of the October 22, 2010 Memorandum of Law of Plaintiff Fidelity Information Services, Inc. in Opposition to Defendants' Motion to Exclude Plaintiff's Proposed Expert Testimony (Dkt. 179; originally filed under seal as Dkt. 134) is attached hereto as Exhibit 5.

I declare under Penalty of Perjury that the foregoing is true and correct.

Dated: New York, New York  
June 11, 2012

  
Mark H. Moore  
Mark H. Moore